

HOUSE BILL 2484
By Bowers

AN ACT to enact the "Bone Mass Measurement Coverage Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Bone Mass Measurement Coverage Act".

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 25, is amended by adding Sections 3 and 4 of this act as new, appropriately numbered sections.

SECTION 3.

(a) The general assembly hereby finds the following:

(1) Osteoporosis affects 25 million Americans and each year results in 1.5 million fractures of the hip, spine, wrist, and other bones, costing the nation at least \$18 billion;

(2) Osteoporosis progresses silently, in most cases undiagnosed until a fracture occurs, and once a fracture occurs, the disease is already advanced, and the likelihood is high that another fracture will occur;

(3) One (1) in two (2) women and one (1) in five (5) men will suffer a fracture due to osteoporosis in their lifetime;

(4) Because osteoporosis progresses silently and currently has no cure, prevention, early diagnosis, and treatment are key to reducing the prevalence and devastation of this disease;

(5) Medical experts agree that osteoporosis is preventable and treatable; however, once the disease progresses to the point of fracture its associated consequences often lead to disability and institutionalization, and exact a heavy toll on the quality of life;

(6) Given the current national focus on health care reform and reducing unnecessary health care expenditures through the use of health promotion/disease prevention programs, mandating coverage of services, such as bone mass measurement, related to prevention, early diagnosis, and timely treatment of osteoporosis is a cost-effective approach for Tennessee to embrace;

(7) Bone mass measurement is a reliable way to detect the presence of low bone mass and to ascertain the extent of bone loss to help assess the individual's risk for fracture, and this aids in selecting appropriate therapies and interventions; ordinary x-rays are not sensitive enough to detect osteoporosis until twenty-five to forty percent (25-40%) of bone mass has been lost, and the disease is far advanced;

(8) Currently available technologies for bone mass measurement include single- and dual-photon absorptiometry, single and dual energy x-ray absorptiometry, quantitative computed tomography, and radiographic absorptiometry; other technologies for measuring bone mass are under investigation and may become scientifically proven technologies in the future; and

(9) Scientifically proven technologies for bone mass measurement and other services related to the prevention, diagnosis, and treatment of osteoporosis can be used effectively to reduce the pain and financial burden that osteoporosis inflicts upon its victims.

(b) The purpose of this act is to mandate coverage for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis.

SECTION 4.

(a) Any individual, franchise, blanket or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, or health maintenance organization which provides coverage for accident and health services, and which is delivered, issued for delivery, amended or renewed on or after July 1, 1996, shall also provide coverage for a qualified individual for scientifically proven bone mass measurement (bone density testing) for the prevention, diagnosis, and treatment of osteoporosis.

(b) Any increase in expenditure requirements on a municipality or a county resulting from the provisions of this section shall be appropriated from funds that such municipality or county receives from the state-shared taxes that are not earmarked by statute for a particular purpose.

(c) The provisions of this section do not apply to short-term travel, long-term care, credit insurance, dental insurance, disability income, medical surgical supplemental insurance, vision insurance, hospital indemnity, accident-only limited or specified disease policies, or to short-term nonrenewable policies of not more than six (6) months duration.

(d) For the purposes of this section:

(1) "Bone mass measurement" means a radiologic or radioisotopic procedure or other scientifically proven technologies performed on an individual for the purpose of identifying bone mass or detecting bone loss.

(2) "Qualified individual" means:

(A) An estrogen-deficient woman at clinical risk for osteoporosis;

(B) An individual with vertebral abnormalities;

(C) An individual receiving long-term glucocorticoid (steroid) therapy;

(D) An individual with primary hyperparathyroidism; or

(E) An individual being monitored to assess the response to or efficacy of approved osteoporosis drug therapies.

SECTION This act shall take effect upon becoming a law, the public welfare requiring it.